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Hearing Date: February 17, 2011 at 10:00 a.m.  
Response Deadline: February 3, 2011 at 4:00 p.m.

-and-

Courtney E. Barr (CE 7768)  
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*Counsel for D&R Technology, LLC*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

DPH HOLDINGS CORP., et al.,

Case No. 05-44481 [RDD]

Reorganized Debtors.

(Jointly Administered)

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DELPHI CORPORATION, et al.,

Plaintiffs,

v.

Adv. Pro. No. 07-02212 [RDD]

D & R TECHNOLOGY LLC, AND  
D AND R TECHNOLOGY LLC,

Defendant.

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**JOINDER OF D&R TECHNOLOGY, LLC TO MOTION AND BRIEF OF ATS  
AUTOMATION TOOLING SYSTEMS INC. FOR RELIEF FROM FOURTH ORDER  
EXTENDING TIME TO SERVE COMPLAINT**

D&R Technology, LLC ("D&R"), by and through its attorneys, Locke Lord Bissell & Liddell LLP, hereby files this Joinder (the "Joinder") to join in and adopt, with respect to the above-captioned case and adversary proceeding, the arguments set forth in the Motion and Brief

of ATS Automation Tooling Systems Inc. (“ATS”) for Relief from Fourth Order Extending Time to Serve Complaint [Docket No. 20699] (the “Motion”) and in furtherance thereof, D&R states as follows:

1. D&R files this Joinder as a protective measure to preserve all of its rights, arguments and defenses, including those arising under Federal Rule of Civil Procedure 60(b), with regard to the above-referenced case and adversary proceeding. The facts and arguments set out in the Motion are substantially the same with respect to D&R, except as amended herein, such that any relief granted for the benefit of ATS should be granted for all others who are similarly situated, including but not limited to D&R.

2. Specifically, this Joinder is intended to preserve D&R’s rights to seek relief from the Fourth Extension Order on the additional or alternative grounds asserted in the Motion, to the extent such grounds have not already been asserted in any of the First or Second Wave Motions to Dismiss and replies in support thereof in which D&R has joined. Further, this Joinder is made without prejudice to D&R’s right and intention to file an Opposition to Plaintiffs’ pending Motion for Leave to Amend, together with all arguments which are appropriately made in that Opposition.

3. D&R expressly reserves all of its rights, remedies, arguments and claims, and nothing in this Joinder shall be deemed to be an election of remedies or a waiver of any of D&R’s rights, remedies, arguments and interests to pursue, amend or modify any claims or defenses against the Debtors or any other party relating to these chapter 11 cases, this Adversary Proceeding or any other legal or administrative proceeding.<sup>1</sup>

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<sup>1</sup> The rights that D&R reserves includes, but is not limited to, all of its rights under 28 U.S.C. §157(d) and the right to challenge any findings of fact entered by the Bankruptcy Court.

WHEREFORE, in the interest of judicial economy, D&R files this Joinder to join in and adopt the Motion and for the reasons set forth in the Motion as qualified herein, D&R seeks an order of this Court:

- (a) Vacating or setting aside the Service Extension Orders; and
- (b) Denying the Debtors' motion for leave to file an amended preference complaint against D&R.

Dated: October 22, 2010  
Chicago, Illinois

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-and-

/s/ Courtney Engelbrecht Barr  
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*Counsel for D&R Technology, LLC*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on October 22, 2010, she electronically filed the *Joinder of D&R Technology, LLC to Motion and Brief of ATS Automation Tooling Systems Inc. for Relief from Fourth Order Extending Time to Serve Complaint* (the “Joinder”) using the court’s CM/ECF system, which will send ECF notification of the filing of the same to the parties who have filed an appearance in this case.

The undersigned attorney further certifies that she caused the Joinder to be served by the method so indicated on October 22, 2010 upon the following:

Eric B. Fisher BUTZEL LONG, P.C. 380 Madison Avenue, 22nd Floor New York, NY 10017 Fax: (212) 818-0494 <b><u>BY U.S. MAIL</u></b>	U.S. Trustee United States Bankruptcy Court 300 Quarropas Street White Plains, NY 10601 <b><u>BY U.S. MAIL</u></b>
Chambers of Hon. Robert D. Drain U.S. Bankruptcy Court for the Southern District of New York 300 Quarropas Street White Plains, NY 10601 <b><u>COURTESY COPY BY U.S. MAIL</u></b>	

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